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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,860	05/15/2006	Kenichi Shiraishi	1247-0535PUS1	2324
2292 7590 05/09/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER SEVERSON, JEREMY R				
ART UNIT 3653		PAPER NUMBER		
NOTIFICATION DATE 05/09/2008		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

### Office Action Summary

**Application No.**

10/540,860

**Applicant(s)**

SHIRAIISHI ET AL.

**Examiner**

Jeremy Severson

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 June 2005.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-14 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 27 June 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO/CS-100)  
Paper No(s)/Mail Date 6/27/05, 9/26/05

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

Figure 10 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

Claim 3 is objected to because of the following informalities: in line 5, "a lid body" should be "the lid body". Appropriate correction is required.

Claim 9 is objected to because of the following informalities: in line 1, "claims" should be "claim". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 5, 8 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Watanabe (JP 11-258870).

Re claim 1, Watanabe discloses a sheet member processing apparatus comprising: processing means 5 for performing a predetermined process on a sheet member; a casing having a casing main body 2,3 and a lid body 4, in which a housing space capable of being opened and closed by displacing the lid body relative to the casing main body, for housing the processing means is formed, and in an upper side than the lid body is formed a discharge port 10 for discharging a sheet member processed by the processing means; and a sheet member holding body 12 for holding a sheet member discharged from the discharge port.

Re claim 2, Watanabe discloses the sheet member processing apparatus of claim 1, wherein: the lid body 4 is coupled so as to be capable of being angularly displaced about a predetermined lid body angular displacement axial line relative to the casing main body; and the sheet member holding body 12 is coupled so as to be capable of being angularly displaced about a holding body angular displacement axial line in parallel with the lid body angular displacement axial line relative to the lid body.

Re claims 5, 8 and 9, Watanabe discloses an apparatus wherein: the lid body 8 is coupled in one side thereof to the casing main body so as to be capable of being angularly displaced about the predetermined lid body angular displacement axial line, and engaged in the other side thereof with the casing main body so as to be capable of releasing the engagement when an external force over a predetermined setting force is

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given to a direction for opening the housing space; and the sheet member holding body 12 is coupled to the other side of the lid body.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 4, 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe in view of Yamada (US 6,714,326).

Re claims 3, 4, 7 and 10, Watanabe discloses everything except Watanabe does not explicitly disclose an apparatus wherein: the cover section is coupled to the base so as to be capable of being angularly displaced about a cover angular displacement axial line in parallel with the holding angular displacement axial line; and the sheet member holding body has a convex section which contacts with the cover section in a state of being disposed at the housing position, and the convex section is formed so that in a state of contacting with the cover section, a pressing direction for pressing the cover section is a direction which is directed closer to the base than a virtual plane including a contact position of the convex section in the cover section and the cover angular displacement axial line. Yamada teaches such an arrangement (tray 2) so that the document output tray may be accommodated compactly. See col. 2, lines 19 et seq. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to use a sheet member holding body has a convex section which contacts with the cover section in a state of being disposed at the housing position, and the convex section is formed so that in a state of contacting with the cover section, a pressing direction for pressing the cover section is a direction which is directed closer to the base than a virtual plane including a contact position of the convex section in the cover section and the cover angular displacement axial line in the device of Watanabe, as taught by Yamada, so that the document output tray may be accommodated compactly.

Claims 6, 11, 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe in view of Kashimura (US 6,409,166).

Re claims 6, 11, 12 and 14, Watanabe discloses everything except Watanabe does not explicitly disclose that the sheet member holding body is disposed so as to be detachable from the lid body when an external force in a direction along the holding body angular displacement axial line is given. Kashimura teaches a detachable sheet member holding body that is detachable when an external force in a direction along the holding body angular displacement axial line is given, in order to reduce the size of the apparatus during shipping. Col. 6, lines 3 et seq. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to make the sheet member holding body of Watanabe disposed so as to be detachable from the lid body when an external force in a direction along the holding body angular displacement axial line is given, as taught by Kashimura, in order to reduce the size of the apparatus during shipping.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe in view of Yamada and Kashimura.

Re claim 13, the apparatus of Watanabe as modified by Yamada comprises everything except that the sheet member holding body is disposed so as to be detachable from the lid body when an external force in a direction along the holding body angular displacement axial line is given. Kashimura teaches a detachable sheet member holding body that is detachable when an external force in a direction along the holding body angular displacement axial line is given, in order to reduce the size of the apparatus during shipping. Col. 6, lines 3 et seq. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to make the sheet member holding body of Watanabe as modified by Yamada disposed so as to be detachable from the lid body when an external force in a direction along the holding body angular displacement axial line is given, as taught by Kashimura, in order to reduce the size of the apparatus during shipping.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy Severson whose telephone number is (571)272-2209. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey, can be reached on 571-272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jeremy Severson/  
Examiner, Art Unit 3653

/Patrick H. Mackey/  
Supervisory Patent Examiner, Art  
Unit 3653